

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of

**Appeal of the Decision by the Universal
Service Administrative Corporation or,
in the alternative, Request for Waiver
by the**

**PATERSON CHARTER SCHOOL FOR
SCIENCE & TECHNOLOGY,
BEN 17001388**

**Schools and Libraries Universal Service
Support Mechanism**

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CC Docket No. 02-6

**Appeal of the Decision by the USAC or, in the alternative,
Request for Waiver**

October 2, 2019

Federal Communications Commission
Office of the Secretary, Marlene H. Dortch
445 12th Street SW
Washington, DC 20554

Dear Secretary Dortch:

Pursuant to CFR §§ 54.719, 54.720, and 54.721, please accept this Appeal submitted by the Appellant, the Paterson Charter School for Science & Technology (hereinafter referred to as "PCSST" and the "Applicant").

This Appeal relates to the following:

Appellant Name: Paterson Charter School for Science & Technology

Billed Entity Number: 17001388

FCC Form 471 Application Number: 191031174 and 191031242

PCSST hereby submits this Appeal in connection with the Revised Funding Commitment Decision Letter issued on September 18, 2019 (attached hereto as Exhibit A) in response to its appeal to USAC. PCSST requests that the FCC waive the applicable rules pursuant to precedent set in the FCC's *Ann Arbor Public Schools* decision, File Nos. SLD-542873, et al., to allow the Applicant to add an FRN to include an item it mistakenly omitted from FCC Form 471# 191031242 but included on its originating FCC Form 470, associated RFP documentation, and source list.

Facts

- The Applicant posted FCC Form 470# 190025797 on February 19, 2019.
- The Form 470 and associated RFP document solicited bids under the "Type" classification of basic maintenance of internal connections ("BMIC") for switches, wireless access points, firewall service and components, wireless controllers, routers, and UPS devices seeking an hourly rate, time and materials maintenance contract. See Exhibit B.
- The Applicant received two bids for the requested time and materials maintenance service, including a bid from the winning vendor, Technotime Business Solutions. See Exhibit C.
- It then issued a legally binding agreement to the winning vendor, dated and sent on March 21, 2019.
- The Applicant submitted two Category Two FCC Forms 471: 191031174 and 191031242. However, it mistakenly omitted the BMIC Funding Request Number ("FRN"), valued at \$200 per hour for 72 hours, or \$14,400, from the Category Two applications it submitted.

Request

Based on these facts, and pursuant to precedent set in the FCC's *Ann Arbor Public Schools* decision,¹ File Nos. SLD-542873, et al., PCSST respectfully requests that the FCC waive the applicable rules and allows the Applicant to add an FRN that correlates to the services it mistakenly omitted from its Category Two applications, both of which were submitted timely. In the *Ann Arbor Public Schools* decision, attached hereto as Exhibit D, the FCC found that good cause existed to waive sections 54.504(b), 54.504(c), and 54.507(c), as necessary, of the Commission's rules to permit petitioners to correct ministerial or clerical errors on their original FCC Forms 470 and 471 and other related forms submitted to USAC.

A petitioner referenced in the *Ann Arbor* decision neglected to enter a request for telecommunications service that was clearly indicated on its item 21 attachment. PCSST argues that it is similarly situated to this petitioner since details concerning the requested

¹ See also *Streamlined Resolution of Requests Related to Actions by the Universal Service Administrative Company*, CC Docket No. 02-6, Public Notice DA 19-589 n.10 (June 28, 2019) and *Streamlined Resolution of Requests Related to Actions by the Universal Service Administrative Company*, CC Docket No. 02-6, Public Notice DA 19-942 n.14 (September 30, 2019).

BMIC services were properly included in the Applicant's Form 470, its associated RFP documentation, and the vendor quote source document used as the basis for the legally binding agreement and Forms 471.

Pursuant to FCC rules and procedures, the remedy requested in this appeal was first pursued via an appeal with USAC. USAC issued the RFCDL referenced previously indicating that it was unable to grant the relief sought by the Appellant since "FCC rules require that funding requests must be submitted via an FCC Form 471. See 47 C.F.R. sec. 54.504(a)..." and USAC is unable to waive FCC rules. Hence, relief is being sought herein with the FCC.

Please direct all inquiries concerning this Appeal and related correspondence to the following individual:

Vincent LaForgia
Phone: 973.200.4815 x101
Email: vince@erateconsulting.com

Respectfully Submitted,



Vincent LaForgia

Exhibit A

Revised Funding Commitment Decision Letter

Funding Year 2019

Contact Information:

Vincent LaForgia
PATERSON CHARTER SCHOOL FOR SCIENCE
AND TECHNOLOGY
196 W RAILWAY AVE
PATERSON, NJ 07503
vince@erateconsulting.com

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Totals

Original Commitment Amount	\$21,041.92
Revised Commitment Amount	\$21,041.92

What is in this letter?

Thank you for submitting your post-commitment request for Funding Year 2019 Schools and Libraries Program (E-rate) funding. Attached to this letter, you will find the revised funding statuses and/or post commitment changes to the original Funding Commitment Decision Letter (FCDL) you received. Below are the changes that were made:

- Appeals

The Universal Service Administrative Company (USAC) is providing this information to both the applicant(s) and the service provider(s) so that all parties are aware of the post-commitment changes related to their funding requests and can work together to complete the funding process for these requests.

Next Steps

1. **File the FCC Form 486**, Service Confirmation and Children's Internet Protection Act (CIPA) Certification Form, for any FRNs included in this RFCDL, if you have not already done so. Please review the CIPA requirements and file the form(s).



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- o **If USAC approved funding on an FRN in your original FCDL**, the deadline to submit the FCC Form 486 is 120 days from the date of the original FCDL or from the service start date (whichever is later).
 - o **If a new FRN was created for this RFCDL or funding was not approved on an FRN in your original FCDL but is approved in this RFCDL**, the deadline to submit the FCC Form 486 is 120 days from the date of this RFCDL or from the service start date (whichever is later).
2. **Invoice USAC**, if you or your service provider have not already done so. Work with your service provider(s) to determine if your bills will be discounted or if you will request reimbursement from USAC after paying your bills in full.
- **If you (the applicant) are invoicing USAC:** You must pay your service provider(s) the full cost for the services you receive and file the [FCC Form 472](#), the Billed Entity Applicant Reimbursement (BEAR) Form, to invoice USAC for reimbursement of the discounted amount.
 - **If your service provider(s) is invoicing USAC:** The service provider(s) must provide services, bill the applicant for the non-discounted share, and file the [FCC Form 474](#), the Service Provider Invoice (SPI) form, to invoice USAC for reimbursement for the discounted portion of costs. Every funding year, service providers must file an [FCC Form 473](#), the Service Provider Annual Certification Form, to be able to submit invoices and to receive disbursements.
 - **To receive an invoice deadline extension, the applicant or service provider** must request an extension on or before the last date to invoice. **If you anticipate, for any reason, that invoices cannot be filed on time**, USAC will grant a one-time, 120-day invoice deadline extension if timely requested.

How to Appeal or Request a Waiver of a Decision

You can appeal or request a waiver of a decision in this letter **within 60 calendar days** of the date of this letter. Failure to meet this deadline will result in an automatic dismissal of your appeal or waiver request.

Note: The Federal Communications Commission (FCC) will not accept appeals of USAC decisions that have not first been appealed to USAC. However, if you are seeking a waiver of E-rate program rules, you must submit your request to the FCC and not to USAC. USAC is not able to waive the E-rate program rules.

- **To submit your appeal to USAC**, visit the Appeals section in the [E-rate Productivity Center \(EPC\)](#) and provide the required information. USAC will reply to your appeal submissions to confirm receipt. Visit USAC's [website](#) for additional information on submitting an appeal to USAC, including step-by-step instructions.
- **To request a waiver of the FCC's rules or appeal USAC's appeal decision**, please submit it to the FCC in proceeding number CC Docket No. 02-6 using the [Electronic Comment Filing System](#) (ECFS). Include your contact information, a statement that your filing is a waiver request,



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identifying information, the FCC rule(s) for which you are seeking a waiver, a full description of the relevant facts that you believe support your waiver request and any related relief, and any supporting documentation.

For appeals to USAC or to the FCC, be sure to keep a copy of your entire appeal, including any correspondence and documentation, and provide a copy to the affected service provider(s).

Obligation to Pay Non-Discount Portion

Applicants are required to pay the non-discount portion of the cost of the eligible products and/or services to their service providers. Service providers are required to bill applicants for the non-discount portion of costs for the eligible products and/or services. The FCC stated that requiring applicants to pay the non-discounted share of costs ensures efficiency and accountability in the program. If using the BEAR invoicing method, the applicant must pay the service provider in full (the non-discount plus discount portion) **before** seeking reimbursement from USAC. If using the SPI invoicing method, the service provider must first bill the applicant **before** invoicing USAC.

Notice on Rules and Funds Availability

The applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Program and the FCC's rules. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with such requirements. USAC may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by USAC, the applicant, or the service provider. USAC, and other appropriate authorities (including but not limited to the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds.



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Revised Funding Commitment Decision Overview

Funding Year 2019

Funding Request Number (FRN)	Service Provider Name	Request Type	Revised Committed	Review Status
1999053448	Technotime Business Solutions LLC	Appeals	\$21,041.92	Denied



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Post Commitment Request Number: 153465	Post Commitment Request Type: Appeals	Post Commitment Decision: Denied
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FRN: 1999053448	Service Type: Internal Connections	Original Status: Funded	Revised Status: Funded
FCC Form 471: 191031242			

Dollars Committed			
Monthly Cost		One-Time Cost	
Months of Service	12		
Total Eligible Recurring Charges	\$0.00	Total Eligible One Time Charges	\$24,755.20
Total Pre-Discount Charges		\$24,755.20	
Discount Rate		85.00%	
Revised Committed Amount		\$21,041.92	

Dates	
Service Start Date	7/1/2019
Contract Expiration Date	9/30/2021
Contract Award Date	3/21/2019
Service Delivery Deadline	9/30/2020
Expiration Date (All Extensions)	

Service Provider and Contract Information	
Service Provider	Technotime Business Solutions LLC
SPIN (498ID)	143034749
Contract Number	
Account Number	
Establishing FCC Form 470	190025797

Consultant Information	
Consultant Name	Vincent LaForgia
Consultant's Employer	E-Rate Consulting Inc.
CRN	16043594

Revised Funding Commitment Decision Comments:

Post Commitment Rationale:

Your appeal has been denied. During appeal review of your FCC Form 471 191031242 you requested that a new funding request be added to your application. Program procedures allow applicants to amend their applications and correct ministerial and clerical errors on their FCC Forms (including adding a funding request) until an Funding Commitment Decision Letter (FCDL) is issued. New funding requests cannot be submitted through the appeals process and after the issuance of the FCDL. Your appeal requests additional funds that were not included in the FCC Form 471 that you are appealing. FCC rules require that funding requests must be submitted via an FCC Form 471. See 47 C.F.R. sec. 54.504(a). Considerations for funding requests depend on the date the FCC Form 471 is received and the amount of funds available if it is received after the close of the filing window. See 47 C.F.R. sec.



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54.507(f). The FCC directed USAC to allow applicants to amend their forms to correct clerical and ministerial errors on their FCC Forms 470, FCC Form 471 applications, or associated documentation until an FCDL is issued. Such errors include only the kinds of errors that a typist might make when entering data from one list to another, such as mistyping a number, using the wrong name or phone number, failing to enter an item from the source list onto the application, or making an arithmetic error. See *Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, FCC 11-60 para. 5 (rel. April 14, 2011). Additional correctable errors can be found in the FCC Order DA 10-2354. See *Requests for Waiver and Review of Decisions of the Universal Service Administrator by Ann Arbor Public Schools, Ann Arbor, Michigan, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-542873, et al., CC Docket No. 02-6, Order, DA 10-2354 para. 2 (rel. December 16, 2010).

Exhibit B

PCSST_C2_Report - #190025797

[Summary](#)
[Generated Documents](#)
[News](#)
[Related Actions](#)

Please note: The following fields pull the most current data from the Contact User Profile and Applicant Entity Profile: Recipient(s) of Service, Contact Name, and Contact Phone Number. If you would like to review this FCC Form 470 with the data that was present upon certification, please navigate to the Generated Documents related dashboard on the left-hand side and click the Original Version document link.

Application Information

Nickname	PCSST_C2_Report	Created Date	2/19/2019 4:22 PM EST
Application Number	190025797	Created By	Geoff Sweeney
Funding Year	2019	Certified Date	2/19/2019 4:36 PM EST
Status	Certified	Certified By	Geoff Sweeney
Allowable Contract Date	3/19/2019	Last Modified Date	2/19/2019 4:36 PM EST
		Last Modified By	Geoff Sweeney

Billed Entity Information

Name	PATERSON CHARTER SCHOOL FOR SCIENCE AND TECHNOLOGY	Billed Entity Number (BEN)	17001388
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Application Type and Recipients of Service

Applicant Type	School District	Number of Eligible Entities	1
Recipient(s) of Service	<input checked="" type="checkbox"/> Public School <input checked="" type="checkbox"/> Charter School <input checked="" type="checkbox"/> Public School District <input checked="" type="checkbox"/> Charter School District		

Contact Information

Name	Geoff Sweeney	Phone Number	202-280-6699
Email	geoff@erateconsulting.com		

Services Requested

There are no Services Requested For Category 1

Category 2: Internal Connections and Managed Internal Broadband Services

Type	Function	Number Entities	Quantity	Unit	Manufacturer	Manufacturer Other Description	Installation and Initial Configuration?	Associated RFP
Internal Connections	Firewall Service and Components		2	Each	Cisco	Systems or equivalent		Yes	View RFP Documents
Internal Connections	Switches		4	Each	Cisco	Systems or equivalent		Yes	View RFP Documents
Internal Connections	Antennas, Connectors, and Related Components		8	Each	Cisco	Systems or equivalent		Yes	View RFP Documents
Basic Maintenance of Internal Connections	Switches		30	Each	No Preference			View RFP Documents

Type	Function	Number Entities	Quantity	Unit	Manufacturer	Manufacturer Other Description	Installation and Initial Configuration?	Associated RFP
Basic Maintenance of Internal Connections	WAP		225	Each	No Preference			View RFP Documents

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Category Two Narrative

This 470 supersedes and replaces Form 470# 190023413. Please disregard the prior Form 470.

All bids must be received by 5:00 p.m. on March 19, 2019. Late bids will be disqualified.

Please review the attached specification/RFP documents carefully for clarification of equipment/services requested.

The Applicant seeks a time & materials maintenance contract on existing network hardware including firewalls, routers, switches and access points. The Applicant anticipates an annual total of 72 hours, split evenly among its three campuses. Service should include break/fix work for any outages. Proposals for this service should include a statement of work. Failure to include a statement of work with your proposal may result in it being deemed incomplete. Please propose an hourly rate.

You must sign and date the specification document and return with your bid to indicate that you have read and will comply with the requirements set forth therein. Failure to return a signed specification document will result in your bid being deemed incomplete.

All questions and proposals must be submitted in electronic format to bids@erateconsulting.com. Only those bids sent to this specific email address will be reviewed. Failure to follow this instruction may result in your bid not being received. Adherence to this requirement is your responsibility and cannot be imputed to the Applicant.

All bids and related questions should be sent to bids@erateconsulting.com and must include the Applicant name and Form 470# in the subject line.

Technical Contact Information

A technical contact has not been indicated

State or Local Procurement Requirements

All bids submitted in response to this FCC Form 470 must conform to the applicable provisions of the New Jersey Public Schools Contracts Law (Title 18A:18A-1 et seq.) and Board of Education policies and regulations.

PCSST_C2_Repost - #190025797

[Summary](#)
[Generated Documents](#)
[News](#)
[Related Actions](#)

Please note: The following fields pull the most current data from the Contact User Profile and Applicant Entity Profile: Recipient(s) of Service, Contact Name, and Contact Phone Number. If you would like to review this FCC Form 470 with the data that was present upon certification, please navigate to the Generated Documents related dashboard on the left-hand side and click the Original Version document link.

Application Information

Nickname	PCSST_C2_Repost	Created Date	2/19/2019 4:22 PM EST
Application Number	190025797	Created By	Geoff Sweeney
Funding Year	2019	Certified Date	2/19/2019 4:36 PM EST
Status	Certified	Certified By	Geoff Sweeney
Allowable Contract Date	3/19/2019	Last Modified Date	2/19/2019 4:36 PM EST
		Last Modified By	Geoff Sweeney

Billed Entity Information

Name	PATERSON CHARTER SCHOOL FOR SCIENCE AND TECHNOLOGY	Billed Entity Number (BEN)	17001388
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Application Type and Recipients of Service

Applicant Type	School District	Number of Eligible Entities	1
Recipient(s) of Service	<input checked="" type="checkbox"/> Public School <input checked="" type="checkbox"/> Charter School <input checked="" type="checkbox"/> Public School District <input checked="" type="checkbox"/> Charter School District		

Contact Information

Name	Geoff Sweeney	Phone Number	202-280-6699
Email	geoff@erateconsulting.com		

Services Requested

There are no Services Requested For Category 1

Category 2: Internal Connections and Managed Internal Broadband Services

Type	Function	Number Entities	Quantity	Unit	Manufacturer	Manufacturer Other Description	Installation and Initial Configuration?	Associated RFP
Basic Maintenance of Internal Connections	Firewall Service and Components		3	Each	No Preference			View RFP Documents
Basic Maintenance of Internal Connections	Wireless Controller		4	Each	No Preference			View RFP Documents
Basic Maintenance of Internal Connections	Router		3	Each	No Preference			View RFP Documents
Basic Maintenance	UPS/Battery Backup		5	Each	No Preference			View RFP Documents

Type	Function	Number Entities	Quantity	Unit	Manufacturer	Manufacturer Other Description	Installation and Initial Configuration?	Associated RFP
of Internal Connections								

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Category Two Narrative

This 470 supersedes and replaces Form 470# 190023413. Please disregard the prior Form 470.

All bids must be received by 5:00 p.m. on March 19, 2019. Late bids will be disqualified.

Please review the attached specification/RFP documents carefully for clarification of equipment/services requested.

The Applicant seeks a time & materials maintenance contract on existing network hardware including firewalls, routers, switches and access points. The Applicant anticipates an annual total of 72 hours, split evenly among its three campuses. Service should include break/fix work for any outages. Proposals for this service should include a statement of work. Failure to include a statement of work with your proposal may result in it being deemed incomplete. Please propose an hourly rate.

You must sign and date the specification document and return with your bid to indicate that you have read and will comply with the requirements set forth therein. Failure to return a signed specification document will result in your bid being deemed incomplete.

All questions and proposals must be submitted in electronic format to bids@erateconsulting.com. Only those bids sent to this specific email address will be reviewed. Failure to follow this instruction may result in your bid not being received. Adherence to this requirement is your responsibility and cannot be imputed to the Applicant.

All bids and related questions should be sent to bids@erateconsulting.com and must include the Applicant name and Form 470# in the subject line.

Technical Contact Information

A technical contact has not been indicated

State or Local Procurement Requirements

All bids submitted in response to this FCC Form 470 must conform to the applicable provisions of the New Jersey Public Schools Contracts Law (Title 18A:18A-1 et seq.) and Board of Education policies and regulations.

Paterson Charter School for Science & Technology
BEN 17001388
Category Two Specifications
Form 470 # 190025797

All bids must be submitted to bids@erateconsulting.com by 5pm on March 19th, 2019. Late bids will be disqualified.

Requirements/Preferences/Instructions:

- (1) All questions and proposals **must** be submitted in electronic format to bids@erateconsulting.com. Only those materials sent to this specific email address will be reviewed. Failure to follow this instruction may result in your bid not being received or your question(s) not being seen. Adherence to this requirement is your responsibility and cannot be imputed to the Applicant.
- (2) With your submission, you **must** provide a copy of your standard contract terms and conditions. Failure to do so will result in your bid being deemed incomplete.
- (3) In your email submission, the subject line **must** specifically reference the District and the applicable Form 470#.
- (4) At the time of bid submission, you **must** have a valid Service Provider Identification Number (SPIN). Lacking a valid SPIN at the time of submission may result in your bid being deemed incomplete.
- (5) If proposing a solution other than the District's stated preference, your submission must include a detailed description of how the proposed product is functionally equivalent to the District's preferred model and explain how it will integrate into the District's existing infrastructure. Failure to fulfill this requirement when proposing an alternative product will result in your bid being deemed incomplete.
- (6) The District will review only those bids which propose alternate manufacturers' equipment that provide equivalent functionality. If a bid for an alternative solution does not provide equivalent functionality, then it does not meet the District's stated needs and will not be considered.
- (7) **You must submit two versions of your final bid.** The first version must be submitted in the identical Excel format as that of the proposed BOM (also attached to this 470). If proposing a solution other than that identified in the proposed BOM, **please replace the proposed part numbers and description in the BOM and specify in the "Notes" column of your Excel submission which part numbers your proposed**

solution is intended to replace the District's proposed equipment. You must also submit a version of your organization's official quote with quote number in pdf format. Failure to provide both the PDF and Excel versions of your bid will result in your bid being deemed incomplete.

(8) Do NOT embed the excel version of your bid in a pdf document. If you do, and you do not submit a separate excel version of your bid, then your bid **will be deemed incomplete.**

(9) If your proposed solution is comprised of products and/or services available through a Preferred Master Contract, State Master Contract, or some other cooperative purchasing arrangement recognized by the State of New Jersey, please provide a specific reference to the contracting arrangement and, where applicable, the contract number.

(10) Proposals must include all taxes and any other additional charges. Failure to include any such taxes, fees, or other additional charges shall preclude vendors from subsequently modifying the cost terms without the District's prior written consent to said modification. By submitting a proposal in response to this Form 470, you agree to be bound by this requirement.

(11) All proposals must conform to the applicable provisions of the New Jersey Public Schools Contracts Law (Title 18A:18A-1 et seq.) and Board of Education policies and regulations.

(12) The District reserves the right to purchase, at the proposed unit price, a quantity less than that specifically requested on the Form 470. By submitting a proposal in response to this Form 470, you agree that your Proposal is not being offered as an "all or nothing" proposition. You will therefore be bound by the unit price in your Proposal.

(13) You must complete cells D2, D3, and D4 in the excel version of your bid. Failure to do so will result in your bid being deemed incomplete.

(14) For bids encompassing professional services, please submit your organization's standard Terms and Conditions with your Statement of Work. In the Notes column of the excel bid document, please estimate the total number of hours included in your fixed fee. **Failure to fulfill either or both of these requirements specifically as stated will result in your bid being deemed incomplete.**

(15) Please print, sign and date this document and submit along with both versions of your bid to indicate that you have read, considered, and understand each of these requirements. **Failure to submit this document with an authorized representative's signature will result in your bid being deemed incomplete.**

Equipment/Services Requested:

As noted previously, a proposed BOM accompanies this document. Prospective bidders should use the proposed BOM as the reference document when crafting proposals. Notwithstanding the District's preference, it will accept proposals for equipment from alternative manufacturers that provides equivalent functionality.

If proposing equipment from an alternative manufacturer, please include detailed technical information explaining how your proposed alternative solution will provide the same or similar functionality.

Also, the Applicant seeks a time & materials maintenance contract on existing network hardware including firewalls, routers, switches and access points. The Applicant anticipates an annual total of 72 hours, split evenly among its three campuses. Service should include break/fix work for any outages. Proposals for this service should include a statement of work. Failure to include a statement of work with your proposal may result in it being deemed incomplete. **Please propose an hourly rate.**

Vendor Representative Name

Vendor Representative Signature

Date

Exhibit C



Price Estimate

TECHNOTIME BUSINESS SOLUTIONS LTD LIABILITY

1 Madison st, Suite B3
East Rutherford ,NJ 07073
Phone: (973) 246-8153
formanoglu@technotimebs.com
SPIN# 143034749

Date: 3/4/2019

Estimate ID:

PATERSON CHARTER SCHOOL FOR SCIENCE AND
TECHNOLOGY
196 W RAILWAY AVE
PATERSON, PASSAIC, NJ 07503
973-247-0600

Form 470 Application Number: 190025797

All prices are shown in USD

Part Number	Description	Service Duration (Months)	Lead Time	Unit List Price	Qty	Unit Net Price	Disc(%)	Extended Net Price
ASA5525-FTD-K9	ASA 5525-X with Firepower Threat Defense, 8GE, AC	---	14	9,645.00	2	5,015.40	48.00	10,030.80
CON-SW-ASA5525F	SNTC-NO RMA ASA 5525-X with Fire	12	N/A	940.12	2	0.00	100.00	0.00
CAB-AC	AC Power Cord (North America), C13, NEMA 5-15P, 2.1m	---	7	0.00	2	0.00	48.00	0.00
SF-ASA-TD6.2.3-K9	Cisco Firepower Threat Defense software v6.2.3 for ASA5500-X	---	14	0.00	2	0.00	48.00	0.00
ASA5500X-SSD120INC	ASA 5512-X through 5555-X 120GB MLC SED SSD (Incl.)	---	14	0.00	2	0.00	48.00	0.00

ASA5525-MB	ASA 5525 IPS Part Number with which PCB Serial is associated	---	14	0.00	2	0.00	48.00	0.00
ASA-IC-B-BLANK	ASA 5525-X Interface Card Blank Slot Cover	---	14	0.00	2	0.00	48.00	0.00
INS-01	Installation and Configuration of Networking Devices	---	---	---	---	---	---	1,700.00
						Subtotal:		
C9300-48P-EDU	Catalyst 9300 48-port PoE+, K12	---	21	10,070.00	4	5,236.40	48.00	20,945.60
C9300-NW-A-48-EDU	C9300 Network Advantage, 48-port license K12	---	21	2,600.00	4	1,352.00	48.00	5,408.00
S9300UK9-168	UNIVERSAL	---	14	0.00	4	0.00	48.00	0.00
PWR-C1-715WAC	715W AC Config 1 Power Supply	---	14	0.00	4	0.00	48.00	0.00
CAB-TA-NA	North America AC Type A Power Cable	---	14	0.00	4	0.00	48.00	0.00
STACK-T1-50CM	50CM Type 1 Stacking Cable	---	14	100.00	4	52.00	48.00	208.00
CAB-SPWR-30CM	Catalyst Stack Power Cable 30 CM	---	14	95.00	4	49.40	48.00	197.60
C9300-NM-8X	Catalyst 9300 8 x 10GE Network Module	---	14	2,550.00	4	1,326.00	48.00	5,304.00
C9300-SPS-NONE	No Secondary Power Supply Selected	---	14	0.00	4	0.00	48.00	0.00
PWR-C1-BLANK	Config 1 Power Supply Blank	---	14	0.00	4	0.00	48.00	0.00
SFP-10G-SR=	10GBASE-SR SFP Module	---	14	995.00	8	517.40	48.00	4,139.20
INS-01	Installation and Configuration of Networking Devices	---	---	---	---	---	---	1,600.00
	Basic Maintenance of Internal Connections					Subtotal:		
C9300-48P-EDU	Catalyst 9300 48-port PoE+, K12	---	---	250.00	72	200.00	20.00	14,400.00

TERMS & CONDITIONS: Materials are guaranteed to be as specified. All work is to be completed in a workmanlike manner according to standard practices. Any alternations or deviation from the above specifications involving extra cost will be executed only upon written orders and will accrue an extra charge over and above the fire, tornado and any necessary insurance. Our employees are fully covered under Workers' Compensation Insurance. All customers must supply a dedicated outlet. Prevailing wage rates will be used for wiring. ALL BRAND NEW ITEMS INCLUDE MANUFACTURER WARRANTY. I understand the entire content of this contract, and I am in full agreement. I certify that I am authorized to sign this contract on behalf of the school and the information provided herein to Technotime Business Solutions LLC and the SLD for E-Rate submission is accurate and true to the best of my knowledge.

Valid through: 6-30-2019

Product Total

63,933.20

FOB Point: None

Notes

Exhibit D

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of)	
)	
Requests for Waiver and Review of Decisions)	
of the Universal Service Administrator by)	
)	
Ann Arbor Public Schools	)	File Nos. SLD-542873, <i>et al.</i>
Ann Arbor, MI, <i>et al.</i>)	
)	
Schools and Libraries Universal Service	)	CC Docket No. 02-6
Support Mechanism)	

ORDER

Adopted: December 16, 2010

Released: December 16, 2010

By the Deputy Chief, Telecommunications Access Policy Division, Wireline Competition Bureau:

1. In this order, we grant 38 appeals of decisions of the Universal Service Administrative Company (USAC) from schools and libraries seeking to correct ministerial or clerical errors on their FCC Forms 470 and 471 and other related forms for funding under the E-rate program (formally known as the schools and libraries universal service support program).¹ As an initial matter, we find that five appellants warrant waivers of our appeal filing deadline because the appeals involved errors by USAC or an appeal was filed within 60 days of the appellant receiving actual notice.² Next, consistent with the Bureau's *Archer Public Library Order*³ and based on our review of the record, we find good cause exists to waive sections 54.504(b), 54.504(c), and 54.507(c), as necessary, of the Commission's rules to permit these petitioners to correct ministerial or clerical errors on their original FCC Forms 470 and 471 and other related forms or submissions to USAC.⁴

2. Specifically, we find that the petitioners inadvertently made ministerial or clerical errors while completing their FCC forms, while responding to USAC requests for additional information during

¹ In this order, we use the term "appeals" to refer generally to requests for review of decisions issued by USAC. Section 54.719(c) of the Commission's rules provides that any person aggrieved by an action taken by a division of USAC may seek review from the Commission. 47 C.F.R. § 54.719(c). A list of the appeals is attached in the appendix.

² 47 C.F.R. § 54.720. We first find that Illinois School for the Visually Impaired, International College Preparatory Academy, and Nur-Ul-Islam Academy were seeking to correct errors made by USAC in processing their applications but were not aware of those errors until after the 60-day appeal deadline. We also find that Greater Albany Public Schools and Holcomb Unified School District 363 filed their respective appeals within 60 days of discovering or receiving notice of the defects in their applications.

³ *Request for Review of the Decision of the Universal Service Administrator by Archer Public Library, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-140961, *et al.*, CC Docket No. 02-6, Order, 23 FCC Rcd 15518 (2008) (*Archer Order*) (granting waivers permitting petitioners to correct clerical or ministerial errors in their FCC Forms 471 or associated item 21 attachments).

⁴ See appendix; 47 C.F.R. §§ 54.504(b), 54.504(c), 54.507(c).

the application review process, or while making requests for service substitution.⁵ These errors include: failing to timely notify USAC to correct a USAC clerical error;⁶ entering the wrong FCC Form 470 number, wrong billed entity number, or wrong billed entity number/worksheet number on their FCC Form 471;⁷ entering the wrong name or service provider identification number (SPIN);⁸ entering the wrong expiration date for a contract;⁹ erroneously characterizing the purchase and installation of equipment as a recurring service;¹⁰ making a calculation error;¹¹ entering the monthly charge as the annual charge;¹² entering the discounted annual price rather than the pre-discount annual price;¹³ entering the amount that a service provider was mistakenly temporarily charging rather than the contracted monthly rate;¹⁴ miscalculating its discount rate;¹⁵ failing to separately list a building where equipment was to be located;¹⁶ failing to enter a request for telecommunications service that was clearly indicated on its item 21 attachment;¹⁷ basing its block 5 funding requests on the wrong FCC Form 471 block 4 worksheet;¹⁸ selecting the wrong term or service;¹⁹ selecting the wrong category of service in its FCC Form 471;²⁰ making a typographical error in recording the cost of ineligible equipment in response to a USAC request for additional data;²¹ failing to follow the correct procedure for modifying its FCC Form

⁵ Ministerial and clerical errors are those that would, for example, be made when entering data from one list to another, such as mistyping a number, using the wrong name or phone number, failing to enter an item from the source list onto the application, or making an arithmetical error.

⁶ Illinois School for the Visually Impaired (misplaced decimal point), International College Preparatory Academy (treating a monthly bill as an annual total), Nur-Ul-Islam Academy (treating a monthly bill as an annual total) (concerning application 585505).

⁷ Clare-Gladwin RESD, Roosevelt School District No. 66, Santa Clara County Office of Education, Shasta Union High School District, Wallace School District 65-R, Winchester Public Schools, York County School District 1.

⁸ Burlington County Special Services District, New Kent County Public Schools (gave wrong name of service provider).

⁹ Ann Arbor Public Schools.

¹⁰ Cartwright School District, Centralia School District, Cocke County Schools, Community School for Apprenticeship Learning, Harmony Area School District, Long Beach Unified School District.

¹¹ Okmulgee Independent School District 1.

¹² Oklahoma City Public Schools.

¹³ South O'Brien Community School District.

¹⁴ Avery County School District.

¹⁵ Rio Dell Elementary School District.

¹⁶ Garvey School District, Taos Municipal Schools.

¹⁷ St. John the Apostle School (concerning application 752047).

¹⁸ San Bernardino City Unified School District.

¹⁹ Nur-Ul-Islam Academy (concerning application 564645), Rio Grande City Consolidated Independent School District.

²⁰ Miami-Dade County Public Schools, Holcomb Unified School District 363.

²¹ Rosemead Elementary School District (the cost of ineligible equipment, the amount of which was to be subtracted from a total purchase, was mistakenly recorded during PIA review as \$44,543.25 x 2, instead of \$4,543.25 x 2).

471;²² mistakenly providing the wrong documentation concerning a purchase;²³ and describing the service it purchased as for its entire district when it was only intended to serve a single elementary school.²⁴ In addition, one applicant omitted a service from a service substitution request,²⁵ and another entered the wrong application number on the certifications it submitted and apparently failed to press the submit button to submit its otherwise completed application.²⁶

3. To ensure that the underlying applications are resolved expeditiously, we direct USAC to complete its review of the underlying applications listed in the appendix and issue an award or a denial based on a complete review and analysis no later than 120 calendar days from the release date of this order.²⁷

4. ACCORDINGLY, IT IS ORDERED, pursuant to the authority contained in sections 1-4 and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151-154 and 254, and sections 0.91, 0.291, 1.3 and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 1.3 and 54.722(a), that the requests for review filed by the petitioners listed in the appendix ARE GRANTED and their applications ARE REMANDED to USAC for further consideration to the extent provided herein.

5. IT IS FURTHER ORDERED, pursuant to the authority contained in sections 1-4 and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151-154 and 254, and sections 0.91, 0.291, and 1.3 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 1.3, that sections 54.504(b), 54.504(c), and 54.507(c) of the Commission's rules, 47 C.F.R. §§ 54.504(b), 54.504(c), and 54.507(c) ARE WAIVED for the petitioners listed in the appendix as provided herein, and that section 54.720 of the Commission's rules, 47 C.F.R. § 54.720, IS WAIVED for the petitioners listed in footnote 2.

6. IT IS FURTHER ORDERED, pursuant to the authority contained in sections 1-4 and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151-154 and 254, that USAC SHALL COMPLETE its review of each remanded application listed in the appendix and ISSUE an award or a denial based on a complete review and analysis no later than 120 calendar days from the release date of this order.

FEDERAL COMMUNICATIONS COMMISSION

Gina M. Spade
Deputy Chief
Telecommunications Access Policy Division
Wireline Competition Bureau

²² Baxley Wilderness Institute.

²³ Yupiit School District.

²⁴ Liberty Public Schools.

²⁵ Chico Unified School District (substitution request inadvertently omitted a service whose cost was included in the submitted total).

²⁶ Iredell-Statesville Schools.

²⁷ In performing a complete review and analysis of the underlying application, USAC shall either grant the underlying application before it, or, if denying the application, provide the applicant with any and all grounds for denial.

APPENDIX

Applicant/Service Provider Name	Application Number	Funding Year	Date Filed
Ann Arbor Public Schools Ann Arbor, MI	542873	2007	Oct. 26, 2007
Avery County School District Newland, NC	686081	2009	Jul. 2, 2009
Baxley Wilderness Institute Baxley, GA	577689	2007	May 27, 2008
Burlington County Special Services District Mount Holly, NJ	671143	2009	Feb. 3, 2010
Darcomm Network Solutions (Cartwright School District) Phoenix, AZ	408211	2004	Feb. 28, 2007
Centralia School District Centralia, WA	616328, 616414	2008	Oct. 14, 2009
Quest (Chico Unified School District) Sacramento, CA	414517	2005	Nov. 3, 2006
Clare-Gladwin RESD Clare, MI	650762	2009	July 30, 2009
Cocke County Schools Newport, TN	684282, 684298	2009	Oct. 19, 2010
Community School for Apprenticeship Learning Baton Rouge, LA	405952	2004	July 24, 2007
Garvey School District Rosemead, CA	632417	2008	Sept. 2, 2009
Harmony Area School District Westover, PA	471000	2005	Aug. 18, 2008
Holcomb Unified School District 363 Holcomb, KS	724354	2010	Nov. 4, 2010
Illinois School for the Visually Impaired Jacksonville, IL	619896	2008	Oct. 23, 2008
International College Preparatory Academy Cincinnati, OH	447722	2005	Nov. 8, 2006
Iredell-Statesville Schools Statesville, NC	729572	2010	Sept. 21, 2010
Liberty Public Schools Liberty, MO	518119	2006	Jan. 22, 2007
Cybertek Computer and Networking Services (Long Beach Unified School District) Long Beach, CA	680511	2009	July 30, 2010
Miami-Dade County Public Schools Miami, FL	448782	2005	May 17, 2006
New Kent County Public Schools New Kent, VA	376935	2009	Jan. 3, 2010
Nur-UI-Islam Academy Cooper City, FL	585505	2007	Apr. 15, 2008

Applicant/Service Provider Name	Application Number	Funding Year	Date Filed
Nur-Ul-Islam Academy Cooper City, FL	564645	2007	May 12, 2008
Oklahoma City Public Schools Oklahoma City, OK	262187	2001	Jan. 16, 2003
Okmulgee Independent School District 1 Okmulgee, OK	547821	2007	Dec. 28, 2007
Rio Dell Elementary School District Rio Dell, CA	654733	2009	Jan. 5, 2010
Rio Grande City Consolidated Independent School District Rio Grande City, TX	477962	2005	Jan. 22, 2007
Roosevelt School District No. 66 Phoenix, AZ	510708	2006	Mar. 20, 2007
Rosemead Elementary School District Rosemead, CA	574972	2007	May 16, 2008
St. John the Apostle School Lincoln, NE	752047	2010	July 21, 2010
San Bernardino City Unified School District San Bernardino, CA	536215	2006	Sept. 8, 2009
Santa Clara County Office of Education San Jose, CA	537410	2006	Apr. 2, 2007
Shasta Union High School District Redding, CA	495586	2006	Sept. 5, 2007
South O'Brien Community School District Paullina, IA	686793	2009	Jun. 25, 2009
Taos Municipal Schools Taos, NM	668143	2009	Nov. 24, 2009
Wallace School District 65-R Wallace, NE	516178	2006	Feb. 13, 2007
Winchester Public Schools Winchester, MA	459562	2005	Jan. 30, 2006
York County School District 1 York, SC	453973	2005	Sept. 18, 2006
Yupit School District Akiachak, AK	428696	2004	Apr. 20, 2006